

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEVIN HALL,

Defendant.

**CR-10-49-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 22, 2018. (Doc. 92.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 21, 2018. (Doc. 88.) The United States accused Hall of violating his conditions of supervised release by: 1) consuming alcohol; 2) failing to report to the probation office within seventy-two hours of contact with law enforcement, 3) failing to participate in substance abuse treatment, 4) failing to participate in substance abuse testing, and

5) failing to complete his sex offender treatment program. (Doc. 92 at 1.) Hall admitted the violation of the conditions of his supervised release. (Doc. 92 at 1.) The violations prove serious and warrants revocation of Hall's supervised release.

Judge Johnston has recommended that the Court revoke Hall's supervised release and commit Hall to the custody of the Bureau of Prisons for nine months. (Doc. 92 at 6.) Judge Johnston further has recommended that eleven months of supervised release follow his custody period. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Hall's violations represent a serious breach of the Court's trust. A sentence custody of nine months, followed by eleven months supervised release, is sufficient, but not greater than necessary.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc.920) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Devin Hall is sentenced to custody for nine months, followed by eleven months supervised release.

DATED this 13th day of March, 2018.

  
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Brian Morris  
United States District Court Judge